



**WOODSTOCK PLANNING & ZONING COMMISSION
REGULAR MONTHLY MEETING
THURSDAY, MARCH 20, 2014 at 7:30 P.M.
WOODSTOCK TOWN HALL, MEETING ROOM 1**

MINUTES

I. MONTHLY MEETING AT 7:30 PM

- a. **Call to Order** – Meeting was called to order by Vice Chair Dave Fortin at 7:33 P.M.
- b. **Roll Call** – Dave Fortin, Delia Fey, Syd Blodgett, Doug Porter, Joseph Adiletta and Dorothy Durst.
Absent: John Anastasi, Gail Dickinson, Jeff Gordon, Fred Rich, Travis Serrine, Lynne White and Dexter Young.
Others Present: Patricia Lacasse (Recording Secretary).
It is noted for the record that there is a quorum for PZC to conduct business.

II. CITIZENS' COMMENTS – Andrew Massey stated that he knows that the PZC are not able to receive any new information but he did want to talk about Bradford Corner Road. He further stated that if he could not speak about Bradford Corner Road, then he wanted to refer to his letter regarding the Bradford Corner Road Improvement Project. Dave Fortin stated that for the record that they did receive his letter. Mr. Fortin also stated for the record that there was a public hearing held on May 19, 2011, for this project and the hearing is now closed. Further, the project is on the agenda tonight because the Commission wanted to review the updated drawings. They will not be taking public comment or receiving any other information tonight. John Chambers stated that he is a developer and offered his feedback to the Commission on any future developments regarding Low Impact Development.

III. CHAIR'S REPORT – None.

IV. DESIGNATION OF ALTERNATES – Doug Porter.

V. MINUTES

- a. Special Meeting Minutes – March 6, 2014

MOTION TO APPROVE THE SPECIAL MEETING MINUTES, AS PRESENTED BY JOSEPH ADILETTA, SECONDED BY SYD BLODGETT WITH 3 CORRECTIONS MADE BY DOROTHY DURST.

Yes – Dave Fortin, Syd Blodgett, Joseph Adiletta, Dorothy Durst.

No – 0

Abstained – Doug Porter

CORRECTIONS IN BOLD: Page 1 – MOTION TO APPROVE THE MEETING MINUTES AS PRESENTED BY JOSEPH ADILETTA, SECONDED BY LYNNE WHITE. DISCUSSION ON THE MOTION. **DOROTHY DURST HAD NOT READ THE MINUTES BECAUSE THE COMMISSION HAD NOT RECEIVED THE MINUTES UNTIL THE NIGHT OF THE MEETING.**

Page 1 – Chair Gordon confirmed that **the Commission and the applicant** did not receive copies prior to the February 20, 2014, meeting.

Page 6 – MOTION BY GAIL DICKINSON THAT THE PROPOSAL WILL NOT PROVIDE UNHINDERED EMERGENCY VEHICLE ACCESS **BECAUSE OF A POTENTIAL BOTTLENECK.**

VI. PRELIMINARY DISCUSSION

- a. Norman S. Ruskin, 16A-6A and 16A-5 Crabtree Lane – Lot line adjustment and proposal for solar farm. – Norman Ruskin was present for comment and to answer any questions. He stated that he has a potential customer who is interested in renting his property at the industrial park for a solar farm and they need a minimum of 5 acres to accommodate a 1 megawatt facility. He wanted to know if the town would welcome this type of industry in the appropriate zone. Also, a question came up about setbacks and he understood that that the town requires 40 feet of setback per structure. Further, 5 generated acres of the new re-subdivision only nets 3 acres of usable space. He explained that this is a topical application and does not require a foundation. Nothing is permanent other than maybe a switch house. Delia Fey stated that the Zoning Regulations do not cover solar but solar panels do make electricity and since he is proposing to manufacture electricity and manufacturing is an allowed permitted use in the industrial park this would be an acceptable

industry. Solar panels installed elsewhere in town would require a zoning permit if they are mounted on the ground. Also, his proposal would involve changing the boundary line which would be a separate application. Joseph Adiletta asked about the industrial park and is it available for any type of manufacturing activity. Further, if you have solar panels on private property is this considered a manufacturing operation. Ms. Fey stated that the land in the industrial park is regulated by the Zoning Regulations the same as any other property in the rest of the town. Also, solar panels at a private residence would be considered an accessory use. Syd Blodgett stated that he supports this type of application and felt that the park would be a good site for this. Also, he would be concerned if someone else wanted to do this type of manufacturing at a private residence. Ms. Fey stated that if a solar farm is proposed elsewhere it would require a special permit in her opinion. Dave Fortin stated there is a difference between business consumption and home consumption. Dorothy Durst recommended that the applicant contact the state, specifically, the CT Siting Council for more information. She stated that she also supports the concept and felt the industrial park was a good place for this. She was also curious about how the decision was made to split the lot. Mr. Ruskin stated that originally he was going to keep the property separate from the industrial building property rather than trying to absorb the panels into the balance of the industrial building property. Ms. Durst stated, then the proposal for tonight would be a lot line adjustment and would it be possible to readjust the lot line closer to the industrial structure and increase the side of the lot for the solar panels. Mr. Ruskin added then the next step would be to go back to his customer and show them what he is proposing and that he still has a lot of unknowns. The question was asked about this proposal being a subdivision and would it require a public hearing. Ms. Fey stated that this would not require a public hearing it would just be a lot line adjustment not a subdivision. Syd Blodgett asked about the fees involved and the time frame in doing this, and Ms. Fey stated that there would be one zoning permit fee and they would charge the single highest fee and zoning permits do not expire.

VII. NEW BUSINESS – None.

VIII. PUBLIC HEARING AT 8:00 P.M.

a. #SP575-07-11M Linemaster Switch Corp., 29 Plaine Hill Rd – Proposal for event center. – The public hearing started past 8:00 p.m. The applicant was present for comment and to answer any questions. Tom Carlone stated that all items needed to complete this application have been resolved. Doug Porter stated for the record that he was not present at the last meeting but he has listened to the recording. Joe Adiletta asked Ms. Fey if they have received notification from the Fire Marshal on the proposed dry fire hydrant. Fey stated yes. Mr. Carlone stated that they did agree at the last public hearing that they would make this a condition of the approval.

No public comments.

Ms. Fey read her memo dated March 20, 2014. For the record, the WPCA approved the application on February 25, 2014. Also, in the past, the Commission has required a sedimentation and erosion control bond submitted along with the zoning permit. There were recent legal changes with the bonding state general statutes section 8-3(g) which states that the bond amount cannot be set as part of their approval but the bond would only be submitted if they request the certificate of zoning compliance without having finished the work covered by the bond. Further, providing they still need something covered by the sedimentation and erosion control bond and then the bond amount would be changed to reflect the work that stills needs to be done and that amount would be submitted at that time. She reminded the Commission that the sedimentation and erosion control plan still needs to be certified per cgs 22a-329 and she has reviewed the plan and recommends that it be approved and no waivers have been requested. Syd Blodgett asked about the steps taken after approval of the plan, and Ms. Fey stated that she would have to do regular inspections on the property.

MOTION MADE BY JOSEPH ADILETTA TO CLOSE THE PUBLIC HEARING AT 8:14 P.M. SECONDED BY SYD BLODGETT. MOTION CARRIED UNANIMOUSLY.

IX. OLD BUSINESS

a. #SP575-07-11M Linemaster Switch Corp., 29 Plaine Hill Rd – Proposal for event center. – The Commission reviewed all 9 criteria required for a special permit. The Commission agreed that the applicant has met all 9 criteria items with exception to 3 items that they agreed to add as special conditions to the application approval. Lastly, Ms. Fey confirmed that the last item still pending on the application was approval from the WPCA. She further stated that the WPCA approved the application, unanimously, at their February 25, 2014, meeting.

MOTION TO APPROVE THE APPLICATION MADE BY SYD BLODGETT, SECONDED BY JOSEPH ADILETTA. DISCUSSION ON THE MOTION REGARDING THE SPECIAL CONDITIONS. 1) DRY HYDRANT INSTALLED AS RECOMMENDED BY THE FIRE MARSHAL IN HIS LETTER DATED FEBRUARY 12, 2014. 2) A DIRECTIONAL SIGN ADDED TO EXIT ONTO ROUTE 171. 3) OUTDOOR OR AMPLIFIED MUSIC BE LOCATED BETWEEN BOTH BUILDINGS IN THE PATIO AREA. MOTION PASSED UNANIMOUSLY. SPECIAL PERMIT IS GRANTED.

b. #SP599-11-04 Bradford Corner Rd – Review for plan for improvement/maintenance by highway department (Approved May 19, 2011). – Doug Porter stated for the record that he owns property on this road and asked the Commission if he should recuse himself. Dave Fortin stated that since there is no decision to be made tonight he did not feel that this was necessary. Syd Blodgett stated that the main issue on the project has been to ensure public input and fairness and asked if the application is now changed and since the highway department now wants to do more work, how significant has the application changed to have another public hearing. Dave Fortin stated that the application was approved May 19, 2011, and he further stated that the PZC had asked to see the new drawings before they started any work. Delia Fey read her memo dated March 20, 2014, stating the following:

- The PZC approved the proposed work on May 19, 2011, with a requirement to bring a plan back to PZC for review.
- The legal notice was published in the Villager on May 27, 2011.
- The 15-day appeal period expired on June 11, 2011.
- The Notice of Activity on a Scenic Road was filed on the land records on June 13, 2011, and is therefore now effective.
- The Commission already made a decision about this activity on a scenic road so they cannot reopen the public hearing or redo the decision.
- The work on the road is regulated by the “Ordinance Concerning the Designation of Scenic Roads” not by the Zoning Regulations.

She noted the first sentence of section 4.b of the Scenic Road Ordinance that states that any highway or portion of any highway designated as a scenic road shall be maintained by the town.

Doug Porter stated that they have dealt with their issue and this should now go to the Board of Selectmen for any further comment since it is their road and they have a role in guiding the highway department in their activities. Dave Fortin stated that the project is in compliance with the Scenic Road Ordinance, and the Commission agreed, and they can take no further action and will recommend to the BOS, in a letter, that they address the public with their concerns or questions.

X. ZEO REPORT

- a. Report on Zoning Enforcement – February 2014Ms. Fey stated that there has been no update on enforcement issues from last month.
- b. Report on Zoning Permits – February 2014Ms. Fey stated that there was 2 non-single family residences or agricultural use permits in February and 3 Zoning Permit and 2 home occupations so far for March 2014.

XI. BUDGET REVIEW AND BILLS

- a. Bills – There were 3 invoices not requiring a vote and 1 invoice from NECCOG invoice #3202 POCD maps provided by Jim Larkin and John Filchak, 60 hours at \$45.00 per hour = \$2,700.00 which requires a vote. Also, there was 1 invoice, in the month of February, from Updike, Kelly Spellacy, P.C. for legal input in the amount of \$470.00.

MOTION TO APPROVE PAYMENT OF INVOICE #3202 TO NECCOG IN THE AMOUNT OF \$2,700.00, SUBJECT TO RECEIVING AN ITEMIZED INVOICE THAT IS ACCEPTABLE TO THE CHAIRMEN OF THE PLANNING & ZONING COMMISSION MADE BY DOUG PORTER, SECONDED BY JOSEPH ADILETTA. DISCUSSION ON THE MOTION. MOTION PASSED UNANIMOUSLY.

- b. Budget Review – Not reviewed.

XII. CITIZEN'S COMMENTS – Wendy Bradley stated that she lives on Bradford Corner Road and requested that the Commission explain what was determined about the Bradford Corner Road project from the discussion that they had. Dave Fortin explained that since the plan meets the Scenic Road Ordinance and is within their purview how the town constructs the road itself, and the highway department falls under the Board of Selectmen's jurisdiction, they would write a letter explaining that there are citizens concerned about the project.

XIII. CORRESPONDENCE

- a. Land Use Academy Advanced Training, April 5, 2014, at Middlesex Country Ext. Office, Haddam, CT.
- b. Memo from Andrew J. Massey, dated March 19, 2014, regarding the Bradford Corner Road Improvement Project.
- c. Memo from Wendy Bradley, dated March 20, 2014, regarding the Bradford Corner Road Improvement Project.

XIV. MINUTES OF OTHER BOARDS AND COMMISSIONS.

- a. IWWA Minutes of March 3, 2014.

XV. OTHER – Dorothy Durst asked Delia Fey if they can link an invoice to an applicant such as design review and does the applicant get billed after the fact. Ms. Fey stated that there are some items that get charged as part of the application fee such as new construction; there is an engineering fee that is part of the application fee, but there have been some applications that have had excessive charges and she has billed the applicant after the fact. Ms. Durst also stated that during the close of the public hearing of February 20, 2014, Gail Dickinson made a comment about hiring an environmental review team to do an analysis on the Reynolds property and she noticed that this comment was not included in the minutes. She asked if she could amend those minutes even if they have been approved. Dave Fortin stated that she could not but, for the record, the statement could be added to these minutes. She also asked Ms. Fey who is able to notarize documents. She further stated that some of the intervenors had not had their documents notarized. Ms. Fey stated that an agent or officer of the court including a lawyer can sign the documents. Dave Fortin stated that the subcommittee is running short of funds to pay their bills and they are going to need to expend money soon and that the PZC needs to empower the subcommittee to appropriate funds.

MOTION MADE BY JOSEPH ADILETTA TO AUTHORIZE AN ADDITIONAL \$2,500.00 TO THE SUBCOMMITTEE FOR THE PURPOSE OF THE POCD. SECONDED BY DOROTHY DURST. MOTION PASSED UNANIMOUSLY.

XVI. ADJOURNMENT

MOTION MADE BY JOSEPH ADILETTA, SECONDED BY SYD BLODGETT TO ADJOURN THE MEETING AT 9:32 P.M. MOTION PASSED UNANIMOUSLY

Patricia A. Lacasse - Recording Clerk, Planning & Zoning Commission